

# A DAMAGE SUIT FOR \$10,000.

F. T. Hughes and Rev. McIlwain Alleged Conspiracy in Appointment of Wm. Sinton, Guardian.

## ATTORNEYS INVOLVED

Cross-Petition and Answer Filed in District Court—Alleged Conspiracy of B. A. Dolan and B. F. Jones.

F. T. Hughes and Rev. R. C. McIlwain, defendants in the recent suit filed in the district court of William Sinton, guardian of Louisa Grimsley, vs. F. T. Hughes and Rev. R. C. McIlwain, today filed a cross-petition asking damages, preceded by a long answer and bringing suit for \$10,000 damages. The answer alleges that the appointment of William Sinton as guardian was a conspiracy on the part of B. A. Dolan and B. F. Jones, attorneys for the plaintiffs. The original suit is as follows: William Sinton, guardian, versus Felix T. Hughes and R. C. McIlwain, defendants. Suit recites "Louise Grimsley is now and has been the owner of the front fifty feet of lots 10 and 11, and the front sixty-five feet of lot 12, in block 109; that at May term of court of 1908, the plaintiff was appointed as guardian of Louisa Grimsley on account of her mental unsoundness; that on January 15, 1906, the defendant, R. C. McIlwain, and through suggestions of co-defendant, Felix T. Hughes, who at the time was acting as attorney for Louisa Grimsley, wrongfully, fraudulently, induced said Louisa Grimsley, without consideration, to convey said property, for purported consideration of \$400, while in fact no part was paid; that afterwards, on or about the 24th day of January, said R. C. McIlwain did obtain tax deed; that afterwards, on November 30, the defendant, R. C. McIlwain personally conveyed said property by quit claim deed to Felix T. Hughes. The plaintiff in the suit asks that deed be cancelled and held null and void. The property in question is at the corner of Seventh and Morgan.

In the answer filed the case is recited from beginning to end, the substance being as follows:

The defendants deny that said plaintiff, William Sinton, is guardian of said Louisa Grimsley, or that he has ever been appointed such by this court under any valid proceedings, but these defendants aver that the alleged proceedings and order of court appointing said plaintiff guardian, were the result of an agreement and conspiracy by and between the attorneys for plaintiff, B. A. Dolan and B. F. Jones, who procured Albert Messenger to file said information alleging that Louisa Grimsley was a person of unsound mind and falsely asserting that she had valuable interests in certain real estate in this county and in Woodford county, Illinois, and that said Dolan and Jones, well knowing that Louisa Grimsley had no valuable interests in Woodford county, which would or could be protected by suit or otherwise, and, as defendants believe and so state, said Jones and Dolan have taken no steps to protect any such interests as these defendants aver and believe. That the whole thing of having plaintiff herein appointed as said guardian was for private gain in said plaintiff Dolan and Jones, and for said Louisa Grimsley. That no inquiry for any affidavits or proof of the insanity or unsound mind of said Louisa Grimsley or any investigation of her mental condition was had in any of the proceedings. No guardian ad litem or attorney appeared to defend or procure truth in said case, but such proceedings were all as a pretended service of original notice on said Grimsley and judgment taken on default alone, and such proceedings do not bind or determine as against these defendants or otherwise the real facts in case.

That suit was not bought nor is being prosecuted, in good faith for purpose set forth in petition, but same originated for purpose of private gain to said Dolan and Jones, well knowing that the matters and things set up in said petition are untrue and the proceeding had and the defenses made by the defendants, F. T. Hughes, in case pending in superior court, wherein E. T. Bartruff was plaintiff and Louisa Grimsley was defendant, under an alleged suit by said Bartruff against Grimsley, to take from Grimsley the possession of said real estate, and that said Hughes faithfully and in con-

nection with co-defendant, R. C. McIlwain, in good faith defended said suit in favor of Louisa Grimsley and that superior court had decided and entered judgment in favor of plaintiff therein. E. T. Bartruff, holding that he was the owner in fee of said premises, under a tax deed, and said superior court ordered a writ of ejectment against Louisa Grimsley, whereupon F. T. Hughes filed petition for new trial, praying that Louisa Grimsley be permitted to redeem property from alleged tax deed, after holding said motion under advisement for more than a year, a new trial was granted, at great expense on part of said F. T. Hughes, and after trial court took trial under advisement for about eight months and again found in favor of plaintiff. That this judgment is still in force.

That after judgment F. T. Hughes procured said R. C. McIlwain to supersede as bond to prevent execution of ouster and enable F. T. Hughes to carry cause to supreme court, and that F. T. Hughes procured transcripts and caused same to be filed in supreme court. In supreme court verdict of lower court was affirmed, with said Louisa Grimsley, said compromise has accepted and said appeal dismissed.

These defendants further deny that said Louisa Grimsley is entitled to redeem said property. That when F. T. Hughes examined title to property in 1905, found that Louisa Grimsley had no apparent title of record. That pending proceeding in superior court in said case Grimsley agreed with these defendants to convey whatever interest, if any, she might have in said property to said McIlwain for services rendered.

That at the time McIlwain held certificate of purchase from delinquent tax sales against said property. That about 1908 R. C. McIlwain procured tax deed to said property and thereafter in pursuant of agreement did convey the title to F. T. Hughes for sale purpose of enabling said Hughes to carry on compromise agreed upon.

Defendants plead for the title acquired by said R. C. McIlwain, and make Wm. Sinton and B. A. Dolan and B. F. Jones defendants in a cross-petition. That these defendants have been greatly wronged and are damaged in the sum of \$10,000.

District Court News. District court reconvened this morning at 9 o'clock and was not adjourned until 11. The afternoon session convened at 2 o'clock.

A. L. Parsons in answer to the petition of Jos. A. Reilly, guardian, in the case of Jos. A. Reilly, guardian, vs. Frank Fader, for authority to sell certain real estate in said petition described, denied each and every averment contained in the petition and asks that strict proof thereof be required.

Arguments were heard this morning in the case of Wittich and Wheatly vs. George S. Tucker. O. W. Sellberg qualified as executor of the estate of J. W. Sellberg.

An order was made by the court approving of the sale of real estate in the case of James W. Fickle and others, against Charles R. Fickle et al. Default was granted in the case of J. B. Van Papeledam vs. Roy A. Bullards.

Decree was granted in the case of Lucretia Rebens vs. the Heirs of Scripe Rebens et al. the suit being instituted to quiet title to lots 3, 4, 5 and 8 in Gate City addition.

People with chronic bronchitis, asthma and lung trouble, will find great relief and comfort in Foley's Honey and Tar, and can avoid suffering by commencing to take it at once. Wilkinson & Co.

## CITY NEWS.

The Gate City urges its readers to watch carefully the advertisements of the merchants appearing in this paper. These advertisements contain information that is important to the readers of the paper. They often save a purchaser time and money and it is to the interest of subscribers to read the ads.

It should be distinctly understood that the prices for "The Merry Widow" matinee to be given tomorrow afternoon, and in fact, all of the Savage productions, will be the same as for the evening performances. The production will be the same for the matinee as for the evening and Mr. Savage does not see why he should differentiate in price. The matinee will begin at 2:30 tomorrow afternoon.

At the First Christian church special prayer service 8 p. m. today, Thursday, September 2, 8 p. m. W. F. Smith, chorus leader, will be here and begin organizing and training the singers for the meeting which begins Sunday, September 5. Two new pianos have been placed in the church and everything is being done that can be to have a great meeting. Remember that you have an invitation to attend these services and to have a part in them. I ask every christian, regardless of church affiliations, to pray for the success of the meeting, attend whenever possible and feel at home with us. R. W. Lilley, pastor.

# EARL L. GAINES NEW MANAGER

Took Charge Today of the Local Mississippi Valley Telephone Company's Exchange in Keokuk.

## COMES FROM WAPELLO

Thomas C. Peebles of St. Paul in the City Looking After the Business of the Telephone Company.

Thomas C. Peebles, secretary of the Mississippi Valley Telephone Company, with headquarters at St. Paul, and superintendent of the company, was in the city today on business, arriving here last evening and will remain for a day or two to look after the company's business in this city. Mr. Peebles announced the appointment this morning of Earl L. Gaines as the new manager for the local exchange of the Mississippi Valley Telephone company, that gentleman to take charge today of the Keokuk offices.

E. P. Purchase, whose resignation takes effect today, left yesterday for Des Moines, where he will engage in business for himself. He was local manager of the home phone since February first. The new manager, Mr. Gaines, comes well recommended, and Mr. Peebles stated this morning that a good selection had been made in choosing him as local manager of the local exchange.

He has been with the Mississippi Valley Telephone company for the past four years and will make a capable official. He arrived in the city last evening from Wapello, this state, where he has been manager of the exchange at that place for some time. Before taking charge of the Wapello exchange he was employed in the Burlington offices of the Mississippi Valley.

No other changes are slated for the local office at present, was stated by Mr. Peebles this morning. The company intends extending its local lines and for this purpose, thousands of feet of new cable wires have been purchased and work will commence soon on stringing them.

Several new exchanges have been purchased in this locality and the local exchange is enlarging its facilities rapidly.

## CITY NEWS.

Reserve your seat for "The Merry Widow" at the Grand Opera House tomorrow night.

Mr. Hughes requests that the stage hands report at the opera house at 9 o'clock sharp tomorrow morning. The Young Men's club of St. Mary's has the finest boat, the big palatial excursion J. S. for their moonlight excursion Friday evening. Don't miss this one.

Probably your last chance to attend a moonlight excursion this season will be given you on Friday evening when the Young Men's club of St. Mary's will give a moonlight on the steamer J. S. Every one is going. Don't miss this one.

Several rumors were being circulated today concerning several circuiting affairs last evening which failed to come to the attention of the police. If there was any shooting last evening the facts were kept from police headquarters. The patrol made a long run about 10 o'clock which may have been the cause for starting such a report. One of the city officials who lives near the outskirts of town was simply being taken home.

Go with St. Mary's Young Men's club on their moonlight excursion Friday night on the steamer J. S. Music and dancing and a fine time assured all who attend.

Tomorrow night at the Grand Opera House, "Merry Widow." Seats now selling.

A special meeting of the council was held last evening for the purpose of granting Cameron and McManus an extension of time on the street improvement on North Thirteenth. The time was extended to Sept. 10 upon motion of Alderman Hickey. A motion made by Alderman Johnson that the council serve without pay at this meeting was adopted.

Charles Agnew was brought to Keokuk late this morning by Marshal Kesselring to stand trial for cutting Oscar Reichelt with a knife during a fight on the levee several weeks ago. He was brought to the city jail and spent some time in consulting an attorney this afternoon.

Charles Brown, Sr., who resided three miles west of Montrose, died at his home at ten o'clock last night. His death was due to dropsy. The deceased came to Lee county in 1844 and had resided on his farm near Montrose for the past fifty years. He had a family of eleven children, seven of whom are living. He was eighty-two years old at the time of his death.

# Get Big Men Behind You

That was the doctrine of Andrew Carnegie. And that is the secret of every great business success. If you have big possibilities, get big men to fulfill them. Get them in every department. But, above all, get big men in advertising—in selling your goods to the millions.

The big men are the profit makers in all lines of salesmanship. You know that is true of your road men, who meet but a few of your customers. Then how true must it be of your salesmen-in-print? Why does one article dominate a field, and an equal one remain unknown? Why does one advertiser win enormous success, and another in the same line utterly fail? Nine times in ten the reason lies solely with the salesmen-in-print. One employs capacity, one incapacity. One fights with cannons, the other with arrows. And the curious fact is that both pay the same price.

Successful advertising isn't an easy matter. The men who can do it are exceedingly rare, and they command the rare man's pay. The only way to get them is to make a business of getting them—to seek and sift and develop. That is our business, and it has been for 36 years.

## LORD & THOMAS

NEWSPAPER, MAGAZINE AND OUTDOOR ADVERTISING

NEW YORK SECOND NAT'L BANK BLDG. FIFTH AVE. and 28th ST.

CHICAGO TRUDE BUILDING 67 WABASH AVE.

Address either office. They are equally equipped.

# SOCIETY

At the home of the bride's parents this evening will occur the marriage of Miss Pearl VanAusdall and Mr. Louis Sigmund. Both are well known Keokuk people. The ceremony will be performed by Rev. Lilley, pastor of the First Christian church.

A marriage license was issued today to Mr. George W. McGregor and Miss Georgia M. Sheu, both of Nauvoo, Ill.

A marriage license was issued today to Mr. W. H. Hardisty and Miss Amanda Jones of McDonough county, Illinois.

Miss Ethel Russell was the charming hostess at an informal party given at her home last evening, to a number of her friends, the members of the S. S. S. club, a society of young ladies of this city which has become one of the foremost during its organization. The affair last evening was the last weekly meeting of the club for the summer months and was spent in a most enjoyable manner by the members. The regular twice a month meetings will be held during the school months at the homes of the different members. A three course luncheon was served last evening at Miss Russell's and an enjoyable evening spent by those present.

This morning at six o'clock at the home of the bride's mother, Mrs. Julia Bouquet, occurred the marriage of Miss Irene Adeline Bouquet to Mr. Hubert Schouten, announcement of which was made in this paper several days ago. The ceremony was performed in the presence of only the immediate relatives of both parties, by Rev. H. B. Foster, of the United Presbyterian church. The ring service was observed.

The bride was attired in her traveling suit of olive green material and the groom wore the customary black. Following the wedding a two course wedding breakfast was served. Mr. and Mrs. Schouten left at 7:35 for Chicago and other northeastern points and will be at home to their many friends in their new residence at 1215 Des Moines street after the fifteenth.

More than one hundred member of the Country Club and a number of Keokuk's visitors were present last evening as guests at the very pleasant dancing party given by the Strymie Club. Under the light of a full moon and several dozen beautiful Japanese lanterns which were suspended about the large veranda of the club house, the merry couples whirled from 8:30 until 12 o'clock. The large porch which served as the dance floor was a veritable vision of beauty with the decorations, while the evening was ideal for such an affair. Punch was served during the evening to the guests between dances. The club is composed of the following gentlemen: J. E. Ellsworth, Raymond McGrath, J. Per-dew Sheldon, Harry L. Huxley, Walter V. D. Maas, Cyrus E. Phillips, Archer C. Miller, Karl Kiedalsch and C. H. Dickey.

The visiting guests present were: Misses Polly Fleming of Burlington, Dorothy Ferris of Carthage, Marion Judd of Emporium, Penn., Blanche Trimble of Rock Island, formerly of

this city and Miss Stafford of Chicago; also Messrs. Eymon of Warsaw, William Smith of Quincy and Edward Mack of Carthage.

The Misses Rose E. Stoff and May Williams left this afternoon at 2 o'clock for their home at Moline, Ill., after a pleasant visit with Mr. and Mrs. William Schoel and family. During their two weeks visit in this city, the young ladies have been the guests of honor at a number of informal affairs given for them.

## CITY NEWS.

"Merry Widow" at the Grand Opera House tomorrow night. Seats now selling.

The infant child of Mr. and Mrs. Bruce Lake died this morning at five o'clock at the home of its parents. The little one was but three weeks old.

The "Merry Widow" will come down over the Rock Island from Des Moines tomorrow in a special train of five coaches and leaves here for St. Louis. Orders have been received by Mr. Hughes to clear out every piece of scenery on the stage at the Grand as the company carries all of its own scenery. The regular opera house scenery will be taken out of the building until after tomorrow.

At her home three miles west of this city occurred the death this morning of Ruth M. Turner, widow of the late Dr. William H. Turner, well known in Keokuk and vicinity. Mrs. Turner is survived by one son, Will D. Turner, two daughters, Maymie E. Turner and Dr. Jean T. Zimmerman, and one grandchild, Ruth Turner Zimmerman. Funeral notice will be given later. The deceased was 66 years of age and a long time resident of this county.

## ELOQUENCE OF PRESS AGENT.

He Ransacks History for Comparisons to Do Justice to Place He is Booming.

The eloquent press agent has thus described a new restaurant: "Millionaires dreaming of the sybaritic luxury of Babylonian days and of the wonder-workings of Haroun al Raschid through the might of a staggering outlay of money, are rapidly transforming a famous old place.

"And was there ever a place of such Neronic allurements designed to meet the languorous requirements of my lady of fashion! Would she smoke? That will be provided for. A luxurious smoking room for her is now building, let alone a manicurist, French hair-dressers, and maids imported from Paris. She may be re-perfumed, re-powdered, and redressed. Furthermore, she may enjoy a Turkish bath, be gowned by maids as expert as her own at home, and with her coiffure rearranged may take her jewels from the safe and after a Lucullan repast be ready for the opera.

"Solomon in all his glory, or Sardanapalus the magnificent, but feebly realized the splendors, etc., etc. Here, in truth, is a veritable palace of the senses. The tone throughout is Assyrian and modeled after the palace of Sennacherib. A splendid staircase 65 feet high, of yellow and black marbles, imported direct from the site of Babylon, and costing \$50,000, marked on either side by a series of small crouching bronze Assyrian lions, is one of the features of this splendid building."

Read The Daily Gate City.

# THE City Drug Store

THE LEADING PRESCRIPTION DRUG STORE

Seventh and Main Street

## WANT COLUMN

WANTED—Men to learn barber trade at once. Wonderful demand for graduates. Top wages. Few weeks complete. Tools given. Can earn some money from start. Send for catalogue. Mc'er Barber College, St. Louis, Mo.

WANTED—A girl for general housework, Mrs. F. H. George, 120 High street.

WANTED—At once experienced tailor. Ewers-McCarthy Co.

WANTED—Gentleman roomer, good room, bath and water, reasonable. Address "Eif" this office.

WANTED—4 rooms for light house-keeping, 6 to 8 blocks from Y. M. C. A. Communicate direct with Y. M. C. A. office.

## FOR RENT.

FOR RENT—Three furnished rooms, down stairs. Plenty of fruit. Inquire 1600 South 6th st.

FOR RENT—14 room house. All or part. Will rent kitchen and dining room to keep boarders. 303 Blondeau st.

FOR RENT—Office room in Keokuk National Bank building. Inquire at the Bank, corner Fifth and Main st.

FOR RENT—Modern cottage, across from Triangular park. Inquire 504 Orleans.

FOR RENT—Two dwellings, eight and ten rooms, north side, modern improvements. Inquire 727 Morgan.

## FOR SALE.

FOR SALE—Good home, south side. Best bargain in city. Call at 521 South Second st.

FOR SALE—The Mathew Alston home. One of the best river view homes at Hamilton. 9 room brick house; 4 lots; plenty of fruit and good water. Terms to suit. Call on or address H. G. Williams, Hamilton, Ill.

FOR SALE—Two Shetland ponies, 1 gelding 5 years old; 1 mare 7 years old, city broke and absolutely sound. E. T. Bartruff, 516 Main.

When your baby cries, when your child won't eat or play, investigate the condition of his bowels. It is constipated or bilious give it Dr. Caldwell's Syrup Pepsin. Price 50 cents or \$1 at any drug store.

# FRATERNAL CA.'S

MASONIC. Hall corner Fourth and Main Eagle lodge, No. 12—Holds its regular meeting the first Tuesday evening of each month.

Hardin Lodge, No. 29—Holds its regular monthly meetings the second Monday evening of each month.

Gate City Royal Arch Chapter, No. 7—Holds its regular meetings the second and Friday in each month.

Damascus Commandery of Knights Templar, No. 5—Regular convolve third Tuesday of each month.

Elmira Chapter, No. 40, Order of the Eastern Star, holds its regular meeting the second Tuesday evening of each month. Mrs. E. A. Eaton, W. M., Mrs. Mary A. Johnston, secretary.

G. A. R. The Hawks Hall. Torrence Post No. 2, Department of Iowa. Regular meetings second Thursday evening of each month at 7:30 o'clock. B. F. Crow, Post Commander, S. H. Johnston, Adjutant.

W. R. C.—The Hawks Hall—Regular meeting of Torrence Relief Corps, No. 100, the second and fourth Thursdays of each month at 2:30 o'clock p. m. sharp. Mrs. Chas. M. Cook, President; Mrs. Lena Van Fleet, secretary.

Belknap Post G. A. R. No. 515—Schouten's Hall, Tenth and Main streets—Meets the first Wednesday of each month. L. A. Berryhill, Commander.

Pucketchuck Lodge, No. 43, meets every Friday evening at 8 o'clock. W. E. Rokey, N. G.; Geo. W. Immigrant, Per. Sec.

Herman Lodge, No. 116 (German), meets regularly every Wednesday evening at 8 o'clock. C. Loeffler, N. G., Albert Loeffler, Rec. Sec.

Colfax Rebekah Lodge No. 4—Meets regularly every second and fourth Tuesday of month at Odd Fellows' hall, corner Seventh and Main streets. Mrs. J. E. Roler, N. G.; Nellie Hardesty, Financial Secretary; Nina Phillips, V. G.; Miss Minnie Bristeinstein Recording Secretary.

Pucketchuck Encampment, No. 7—Meets first and third Tuesday evening of each month. Otto Anschutz, Scribe.

Canton Leach, No. 4, P. M.; I. O. O. F.—Meets every second Tuesday of each month. Frank Wahlgren, Captain; George W. Hardin, Clerk.

MODERN WOODMEN OF AMERICA. Gibbons Hall. Keokuk camp No. 622—Meets every Tuesday evening at 7:30 p. m. Our latch string is out to neighbors. J. P. Johnson, V. C.; J. A. Pollard, Clerk.

B. P. O. ELKS. Keokuk Lodge No. 106—Meets first and third Thursday nights at Elks' hall Gibbons opera house block, Sixth and Main streets. Club rooms open daily. Visiting brothers cordially invited. L. J. Wolf, E. R.; William Reinhold, Secretary.

FRATERNAL ORDER OF EAGLES. Keokuk Aerie, No. 683—Meets first and third Wednesday of each month at Horn hall, corner Eighth and Main. Visiting brothers cordially invited. Leo Anschutz, W. President; A. Noaks, Secret. v.

KNIGHTS OF HONOR. Hall over Savings Bank. Keokuk Lodge, No. 544—Meets regularly on the second and fourth Fridays of each month. J. W. Stelger, Director; C. Loeffler, Reporter.

COURT OF HONOR. A. O. U. W. Hall, Eighth and Main. Meets the first and third Friday nights of each month. Visiting members cordially invited. W. J. Kessler, Chap.

IOWA LEGION OF HONOR. Hall over Savings Bank. Leo Lodge, No. 58—Meets the fourth Monday in each month. S. S. Lowitz, President; Ira W. DeMoss, Recording Secretary.

A. G. U. W. Keokuk Lodge, No. 256—meets every Thursday night at 7:30 o'clock at hall over Keokuk Savings bank corner Fifth and Main streets. Visiting brethren cordially invited. C. W. Trott, M. W.; Ed. W. Moore, Recorder.

K. of P. Morning Star Lodge No. 5—Meets Fifth and Blondeau, K. of P. Building, Tuesday at 7:00 p. m. W. E. Srimback, Chancellor; Commander; Edward F. Carter, K. of R. and S. Visiting Knights fraternally invited.

KNIGHTS AND LADIES OF SECURITY. KEOKUK COUNCIL NO. 1039. Meets the first and third Monday of each month, at A. J. U. W. hall at 8 o'clock. E. E. Hawkes, president; Dr. G. W. Rowe, Financial; M. J. Schenk, secretary.

CONTRACTORS AND BUILDERS. John W. Young, Builder, Superintendent and Contractor for all kinds of construction. Also general repair work. Prominent and careful attention given to plans and estimates. Your patronage solicited. Office, 506 Blondeau. Iowa phone, office, 2143; residence, 3342.